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RUEHBJ/AMEMBASSY BEIJING 6910  
RUEHIL/AMEMBASSY ISLAMABAD 4908  
RUEHLO/AMEMBASSY LONDON 4956  
RUEHMO/AMEMBASSY MOSCOW 2678  
RUEHKO/AMEMBASSY TOKYO 5658  
RUEKJCS/SECDEF WASHDC  
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RUEIDN/DNI WASHINGTON DC  
RHHMUNA/HQ USPACOM HONOLULU HI  
RUCNDT/USMISSION USUN NEW YORK 6424  
RUEHGV/USMISSION GENEVA 7739  
RUEKJCS/JOINT STAFF WASHDC  
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SUBJECT: DELHI DIARY, MAY 12-16

REF: A. NEW DELHI 1052

[1](#)B. NEW DELHI 160

[1](#)1. (U) Below is a compilation of political highlights from Embassy New Delhi for May 12-16, 2008 that did not feature in our other reporting, including:

- Akali-BJP Deadly Clash During Local Polls in Punjab
- Child Laborers Wake Up Parliamentarians
- Reservation Policy Hits a Snag

Akali-BJP Deadly Clash During Local Polls in Punjab

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[1](#)2. (U) Local elections on May 12 in Punjab saw violent clashes between political parties, including the ruling government coalition partners Shiromani Akali Dal and Bharatiya Janata Party (BJP). The media reported that Akali workers captured polling stations and were casting ballots forcibly or disposing of ballot boxes, with one ballot box thrown in the village pond. In one district Akali workers stabbed a Congress Party member and in another they attacked BJP supporters, setting fire to a BJP legislator's vehicle. BJP members fought back, tearing down posters of Akali Chief Minister Prakash Singh Badal and his son Akali President Sukhbir Singh Badal and damaged two buses owned by the Badal family. Verbal duals turned into gun fire fights resulting in at least two deaths and dozens of casualties.

[1](#)3. (SBU) Tension between the BJP and Akali's stems from a shared sense that the other is encroaching on its traditional vote base. The BJP feels that the Akalis are making inroads in urban areas, where it typically has a stronghold. Likewise, the Akalis feel that the BJP are making inroads in rural Punjab, where it has a stronghold.

[1](#)4. (U) In an effort to defuse tension, Akali Chief Minister Badal rushed to a hospital in Amritsar to visit injured BJP workers. However, an incensed BJP leadership did not discount the notion that the BJP might withdraw support from the alliance government. BJP leader in the state assembly Manoranjan Kalia and BJP Member of Parliament from Punjab Balbir Punj demanded justice from the Akali leadership.

[1](#)5. (U) On May 13, Akali and BJP leaders met to discuss the

crisis. An unsatisfactory meeting in the morning with President Sukhbir Singh Badal was offset by a better meeting in the evening at Chief Minister Prakash Singh Badal's residence. At the meeting, BJP leaders listed their complaints and condemned the manner in which the administration treated their complaints.

¶6. (SBU) Comment: The meeting at the Chief Minister's residence apparently appeased BJP leaders sufficiently and the issue appears to be resolved for now. The BJP and Akalis have been partners for decades, so local level skirmishes will cause strain, but will not break the alliance between the two parties. It is more likely that BJP and Akali leadership will do whatever they can to make sure the alliance remains intact.

#### Child Laborers Wake Up Parliamentarians

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¶7. (U) In honor of Global Action Week, hundreds of former child laborers surprised over 50 Parliamentarians with an early-morning reminder of the government's promises for educational reform. The children, organized into groups of 10-15 with the support of Bachpan Bachao Andolan (BBA) and the Coalition for Education (NCE), knocked on office doors to pressure MP's fulfill the commitments made at Dakar. The demands in the children's charter included six percent of GDP spending on education, a redressal system for those excluded from mainstream education, regulation of the private school system, and compliance with the Millennium Development Goals.

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¶8. (U) Despite a few reluctant parliamentarians, most showed great interest in hearing the children's grievances and appreciated their proactive approach. Current MP's, such as Abudullakutty from Kannur, and former MP's, such as Karnendu Bhattacharya, Virchandra Paswan, and Vishnu Deo Sai, vowed to fully support the children's continued efforts, noting that improved education also positively effects like land reform and decentralization of power. Other MP's, namely Nikhilananda Sar, rejected the Right to Education act, insisting it is not the government's responsibility.

¶9. (U) Comment: As is typical with India's "soft" issues, (most) parliamentarians rally behind education and promise to push for better implementation. However, given budget constraints and competing priorities, not everyone will put their money where their mouth is. Nevertheless, G/TIP-grantee BBA demonstrates its political savvy by directly exposing Indian politicians to kids with a metaphorical "wake up" call.

#### Reservation Policy Hits a Snag

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¶10. (U) In yet another setback to the Human Resources Development (HRD) Ministry's attempt to implement a 27 percent reservation for Other Backward Classes (OBCs) in the universities, the Kolkata High Court on May 14 stayed implementation at the prestigious Indian Institute of Management, Calcutta (IIM-C). While paving the way for more litigation and confusion regarding the already controversial issue, the court order has put on hold the admission process at IIM Calcutta, with potential impact on admission processes in other IIMs as well as all other Central educational institutions offering postgraduate programs.

¶11. (U) In a historic verdict on April 10, 2008, a Five Member Constitution bench of the Supreme Court of India upheld the controversial Central Educational Institutions (Reservation in Admissions) Act. The judgment excluded the OBC "creamy layer" (those with an annual income of Rs 2.5 lakh and above) and favored fixing cut off marks for OBC candidates. Three of the five-judge bench were against extending the benefits of reservation beyond the undergraduate level, generating an interpretation that the

OBC reservation will not be applicable to Post Graduate programs. However, the HRD Ministry has consistently denied this interpretation, and urged all the higher educational institutions under its command to implement the quota. The Ministry's interpretation was challenged in the High Courts in India's major Metro cities and the Delhi High Court issued notices to the Central Government in response to a petition filed by the IIM Alumni Association. On May 14, in response to a petition filed by a candidate, the Calcutta High Court stayed the implementation of the OBC quota in IIM-C until June 9, when the case will be taken up for hearing.

¶12. (U) While the HRD Ministry insists that the order will not impact the admission process in Institutions other than IIM-C, certain legal experts point out that the order would affect all central institutions, whether inside or outside of West Bengal. The Calcutta High Court's order has come at a time when most Central educational institutions are in the thick of the admission process for the coming academic year. The Indian Institutes of Technology (IITs) have added 880 seats to their capacity to accommodate the first phase (nine percent) of the quota. The IIM Ahmadabad has already finished provisionally admitting OBC candidates. While the HRD Ministry feels confident that it can convince the High Court of its interpretation of the judgment, and plans to move the Supreme Court for a clarification of the April 10 judgment, the legal battle means further delays for the candidates awaiting entrance results from these prestigious institutions.

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